

Jim Doyle
Governor

Celia M. Jackson
Secretary

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



1400 E Washington Ave
PO Box 8935
Madison WI 53708-8935
Email: web@drl.state.wi.us
Voice: 608-266-2112
FAX: 608-267-0644
TTY: 608-267-2416

**PHARMACY EXAMINING BOARD
Room 121A, 1400 East Washington Avenue, Madison
Contact: Tom Ryan (608) 266-8098
December 7, 2005
8:00 A.M.**

CLOSED SESSION – Rooms 121C and 125 - EXAMINATIONS

9:00 A.M.

OPEN SESSION – Room 121A - CALL TO ORDER – ROLL CALL

Welcome New Appointment(s)

- A. Approval of Agenda
- B. Approval of October 19, 2005 Minutes

Presentation of proposed stipulation, final decision and order in the matter of disciplinary proceedings against Kent W. Heger, R.Ph., by Attorney Jeanette Lytle – Case 04 PHM 071 - Case Advisor – John Bohlman

Presentation of proposed stipulation, final decision and order in the matter of disciplinary proceedings against Golden Sands Respiratory Care Services, Inc, by Attorney Jeanette Lytle – Case 05 PHM 008 - Case Advisor – Michael Bettiga

Administrative Report

- Board Member Hotline
- DOE caseload

2006 AACP – NABP Region IV Meeting – University of Wisconsin – Madison – discussion

Examination question review and Marshfield Clinic Speaker request – Board review and discussion

Review of power point presentation at PSW technician seminar – Cindy Benning

Travel requests received in the Bureau after mailing of agenda

- C. Quality Assurance discussion
 - Remedial Education Program – Eric Callisto, DOE
 - Error prevention report – Tom Ryan
- D. Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation, and any cases, rules and legislation received in the bureau after preparation of the agenda, Including:
 - Controlled Substances theft and loss reporting rule – status
 - Foreign pharmacy graduates internship rule – status
 - Prescription records and transfers rule- status

Legislative Liaison Report – Charlotte Rasmussen – Including:

- 2005 Assembly Bill 258, relating to prescription drug labels
- 2005 Assembly Bill 722, relating to the licensure of pharmacies located outside the state and providing a penalty - status
- 2005 Assembly Bill 683, relating to authorizing medically-related acts to nurse practitioners and physician assistants – status
- LRB-3021/P1, relating to the wholesale distribution of prescription drugs, granting rule-making authority, and providing a penalty – status
- 2005 Senate Bill 405, relating to emergency pharmacy re-location
- Remote dispensing bill language – discussion

- E. Medicare Program: e-prescribing and the prescription drug program – final rule – Board review
Wisconsin Pharmacy Forum Meeting

- F. Variance Request – Marshfield Clinic – Gary S. Plank, Pharm. D. – Wausau, WI – Kerry L. Moskol, Esq. Quarles & Brady, LLP – APPEARANCE 10:30 a.m.

Variance requests received in the bureau after mailing of the agenda

Practice Questions received in the bureau after mailing of the agenda

Licensing Liaison Report

- G. DEA Drug Theft and Loss Reports

- Report review
- DRL discipline tracking – Jeanette Lytle

Consultation work group – status – Cynthia Benning

- H. Pain management statement - John Bohlman

- I. Informational Items

Motion to Invite New Appointment(s) Into Closed Session

Application issues received in the Bureau after mailing of agenda

Education and examination issues received in the Bureau after mailing of agenda

CONVENE TO CLOSED SESSION to deliberate on case(s) following hearing (Wis. Stat. § 19.85 (1)

(a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and 440.205); to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g))

- J. Deliberation of proposed stipulation, final decision and order in the matter of disciplinary proceedings against Kent W. Heger, R.Ph – Case 04 PHM 071 - Case Advisor – John Bohlman

- K. Deliberation of proposed stipulation, final decision and order in the matter of disciplinary proceedings against Golden Sands Respiratory Care Services, Inc. – Case 05 PHM 008 - Case Advisor – Michael Bettiga

- L. Consideration of administrative warning in Case 03 PHM 020

- M. Consideration of administrative warning in Case 03 PHM 063 - Case Advisor – Michael Bettiga

- N. Consideration of closing case No 03 PHM 063 - Case Advisor – Michael Bettiga

- O. Consideration of administrative warning in Case 05 PHM 026 - Case Advisor – Michael Bettiga

- P. Consideration of closing case No 05 PHM 026 - Case Advisor – Michael Bettiga

- Q. Consideration of closing case No 03 PHM 075 – Case Advisor – John Bohlman

- R. Request retake of consultation exam for a third time – full Board review – Madhuri Vemuri

- S. Request retake of MPJE for a third time – full Board review – Dipal Patel

- T. Re-registration application review – Beth Stokka

Deliberation of stipulations, final decisions and orders received in the bureau after preparation of the agenda

Deliberation of monitoring reports that may be received in the bureau after preparation of agenda

Deliberation of proposed stipulations that may be received in the bureau after preparation of agenda

Deliberation of proposed decisions that may be received in the bureau after preparation of the agenda

Consider closing(s) of disciplinary investigation(s) with administrative warning(s) that may be received in the bureau after preparation of the agenda

Consider or review of administrative warning(s) received in the bureau after preparation of the agenda

Matters relating to costs received in the bureau after preparation of the agenda

Division of Enforcement – case status reports and case closings

Division of Enforcement – meeting with individual board members

Review of Applications that may be received in the bureau after preparation of agenda

- U. Consulting with legal counsel, including:

- Brief in the matter of Neil Noesen v. State of Wisconsin Department of Regulation and Licensing and Pharmacy Examining Board

Review of candidate challenge to scoring of patient consultation examination

Examination issues received in the bureau after preparation of the agenda

Application issues received in the bureau after preparation of the agenda

Validation of examination scores

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on items deliberated or considered in closed session if voting is appropriate

ADJOURNMENT

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC UNLESS OTHERWISE NOTED. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS

CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Meetings and hearings may be cancelled without notice. Times listed for meeting items are approximate and depend on the length of discussion and voting. The board may also consider in closed session, stipulations filed after the printing of this notice. Meetings may be confirmed by a telephone call to the listed contact person. Examinations are open only to authorized candidates. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. For a complete copy of the board's agenda, contact the board listed above. Interpreters for the hearing impaired provided on request. Contact the Affirmative Action Officer, (608) 266-2112.